

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants – Agricultural Marketing Department – Disciplinary proceedings against Sri K.L.Kantha Rao, Secretary Grade-I(now retired), A.M.C., Nandigama, Krishna District for allegation of irregularities in purchase of Pesticides and maintenance of Stock Register at A.M.C., Nandigama – Implementation of orders of A.P.Administrative Tribunal – Orders– Issued.

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 920

Dated: 22-07-2009

Read the following:-

- 1) Charge Memo No.DC(2)113/2003, dt.8-9-2003 of C&DOAM, Hyd.
- 2) From DDM, Vijayawada & Inquiry Officer, Lr.No.JDM/MA/9/2004, dt.7-2-2004
- 3) Procs.No.X(2)113/2003, dt.6-7-2004 of C&DOM, Hyderabad.
- 4) Govt.Memo No.12097/Vig.II(1)/2004-3, dt.20-01-2005.
- 5) O.A.No.2067/2005 filed by Sri K.L.Kantha Rao, Secretary Grade-I.
- 6) From A.P.A.T. orders dt.3-11-2006 in O.A.No.2067/2005.

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O R D E R:

Sri K.L.Kantha Rao, while working as Secretary Grade-I, A.M.C. Nandigama, Krishna District had allegedly committed certain irregularities in purchase of Pesticides and maintenance of Stock Register at A.M.C., Nandigama. In this regard, the Commissioner & Director of Agricultural Marketing, Hyderabad, being competent authority, initiated departmental proceedings by framing the following article of charges against him:-

Charge-1: *"That Sri K.L.Kantha Rao, while working as Secretary Grade-I, AMC, Nandigama has drawn an amount of Rs.5.00 lakhs and made advance payment to M/s. Nalam Traders, Vijayawada in connection with purchase of 'TRACER' and stocks were not supplied by the firm to AMC, Nandigama. The Secretary allowed the Chairman, AMC to receive the same stocks directly and also to misappropriate an amount of Rs.2,64,535/- and failed to inform the same to the higher authorities. The Secretary also failed to maintain stock register properly and there was a variation between stock register and actual stock, thus he misused his official duties and violated the instructions of higher authorities"*

Charge-2: *"That Sri K.L. Kantha Rao, while working as Secretary Grade-I, AMC, Nandigama has issued a cheque for Rs.60,525/- to M/s. United Phosphorous Ltd., Guntur for supply of pesticides but the said items have not been received by AMC, Nandigama. Hence, Rs.60,525/- was loss to AMC, thus he failed in his official duties".*

2. In the regular inquiry, The Inquiry Officer concluded that the Charge-1 is held proved and Charge-2 is held not proved against the Charged Officer. Accordingly, after following due procedure, the Commissioner & Director of Agricultural Marketing, Hyderabad awarded a penalty of stoppage of one annual grade increment with cumulative effect against Sri K.L.Kantha Rao, Secretary Grade-I(now retired) vide reference 3rd read above.

3. Aggrieved by the above penalty, Sri K.L.Kantha Rao, Secretary Grade-I (now retired) has filed an Appeal Petition before Government. Government, after careful examination of the matter, rejected the appeal of Sri K.L.Kantha Rao, Secretary Grade-I(now retired) A.M.C. Nandigama vide in reference 4th read above.

4. Sri K.L.Kantha Rao, Secretary Grade-I(now retired) has approached the A.P. Administrative Tribunal and filed an O.A.No.2067/2005. The A.P. Administrative Tribunal in its order dt.3-11-2006 in the above O.A. have set aside the above penalty proceedings on the ground that there is no charge of misappropriation attributed to the applicant nor the enquiry officer has any where held with respect to the misappropriation of the A.M.C. funds by the applicant.

5. Government have examined the matter carefully and decided to implement the orders dt.3-11-2006 in O.A.No.2067/2005 filed by Sri K.L.Kantha Rao, Secretary Grade-I(now retired). Accordingly, Government, hereby set aside the penalty orders in the reference 3rd read above issued by the Commissioner & Director of Agricultural Marketing, Hyderabad and also consequential Government Memo in the reference 4th read above, is cancelled.

6. The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**K. R. KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K.L.Kantha Rao, Secretary Grade-I (now retired), A.M.C., Nandigama, Krishna District.
(Through : The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad)

Copy to:-

The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad.

The Government Pleader for Marketing,
A.P. Administrative Tribunal, Hyderabad.

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER